

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

CHARLES BRETT, BUILDING) C.A. No. 05-11542 RGS
INSPECTOR OF TOWN OF HAMILTON,)
Plaintiff,)
)
v.)
)
IRINA V. TEMKINA,)
)
Defendant.)
)

**RULE 26 INITIAL DISCLOSURE STATEMENT
OF PLAINTIFF CHARLES BRETT,
BUILDING INSPECTOR OF TOWN OF HAMILTON**

Plaintiff Charles Brett, Building Inspector of the Town of Hamilton, hereby discloses the following pursuant to Rule 26 (a)(1), Fed. R. Civ. P.:

A. The following individuals are likely to have discoverable information that the plaintiff may use to support his claims in this action:

Charles Brett
Hamilton Building Inspector
Hamilton Town Hall
577 Bay Road
Hamilton, MA 01936
978 468-5585
Town's Zoning Enforcement Officer and responsible for enforcing compliance with state building code. Has inspected the premises.

Robert Brown
Hamilton Electrical Inspector
Hamilton Town Hall
577 Bay Road
Hamilton, MA 01936
978 468-5585
Inspects premises for compliance with electrical code. Has inspected the premises.

William Thomas
Hamilton Plumbing and Gas Inspector
Hamilton Town Hall
577 Bay Road
Hamilton, MA 01936
978 468-5585

Inspects premises for compliance with plumbing code. Has inspected the premises.

John Jacobi
Hamilton Health Agent
Hamilton Town Hall
577 Bay Road
Hamilton, MA 01936
978 468-5579

Inspects premises for compliance with state sanitary code. Has inspected the premises.

Deb Paskowski
Assistant to the Building, Electrical and Plumbing Inspectors
Hamilton Town Hall
577 Bay Road
Hamilton, MA 01936
978 468-5585

Has had several conversations with Irina V. Temkina, Elliott Tiomkin, inspectors and contractors regarding the property. Has also communicated with Dawn Goodwin of the Beverly Housing Authority, Rhonda and Shawn Baker, attorney Lori Fonseca and Matt Carter regarding the tenancy of the property.

Leo Panunzio
Dawn Goodwin
Kevin Ascolillo
Beverly Housing Authority
137 (Rear) Bridge Street
Beverly, MA 01915
978 922-3100

The Beverly Housing Authority administered the Section 8 Housing Choice Voucher for one of the defendant's tenants, Rhonda Baker. Mr. Panunzio has inspected the premises.

Shawn and Rhonda Baker
521 Bridge Street, upper level
South Hamilton, MA 01982
978-468-8032

The Bakers rented the upper level of the property from the defendant, with the assistance of the Beverly Housing Authority.

Matthew Carter
Current address and telephone number unknown
Mr. Carter rented the lower level of the property from the defendant.

Members of the Hamilton Police Department
265 Bay Road
Hamilton, MA 01982
978 468-1212

Various officers have responded to calls to the property during the time of defendant's ownership, as further described in the call logs of the Hamilton Police Department.

B. The plaintiff hereby submits a description by category of the documents, data compilations and tangible things that are in the plaintiff's possession, custody or control and that may be relevant to its claims:

1. Entire contents of file kept by the Building Department concerning the property. It is believed that many of these documents are already in the possession of defendant, but the entire file is available for inspection at Town Hall.
2. Call log reports from the Hamilton Police Department from April, 2001 to August 3, 2005. Copies are available upon request at the Hamilton Police Department.
3. Documents obtained through the court file for the matter entitled *Irina Temkina and Elliott Tiomkin v. Rhonda Baker and Beverly Housing Authority*, Docket No. 05-SP-2039 (Northeast Housing Court). Since the defendant is a party, it is believed that she already has copies of these documents.

C. Disclosing Party's damages: The only monetary damages are those which may be set by the court as fines for non-compliance with the town zoning by-law and the state building code. Computation of these fines up to the date of the filing of the Verified Complaint is set forth in the Affidavit of Charles Brett dated August 26, 2005, a copy of which has previously been served on the defendant.

D. Hamilton is not aware at this time of any insurance agreement that may be available to satisfy part or all of a judgment which may be entered in this case or to indemnify or reimburse for payments made to satisfy the judgment. At the time of this submission, there are no claims asserted against the plaintiff.

Dated: September 15, 2005

Respectfully submitted,

TOWN OF HAMILTON BUILDING
INSPECTOR,
By his Attorney,

/s/ Donna Brewer MacKenna

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